

Docket No. 1995-18A2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of:

Thelma G. Manning,
Joseph L. Prezelski,
Sam Moy,
Bernard Strauss,
James Hartwell,
Arpad A. Juhasz,
And
Robert J. Lieb

Examiner: Edward A. Miller

Serial No.: 09/665,190

Group Art Unit: 3641

Filed: 09/12/2000

For: High Energy Thermoplastic Elastomer

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JUL 02 2003

PETITIONS OFFICE

FEE LETTER

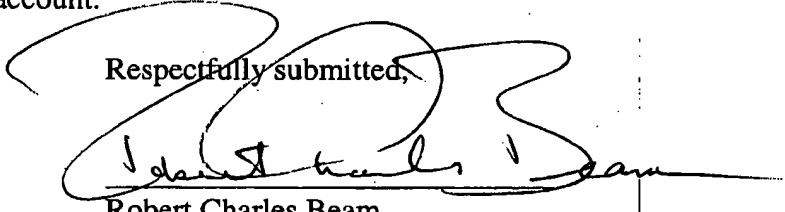
Honorable Commissioner of Patents & Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The United States Patent and Trademark Office is hereby authorized to charge the sum of \$1300, for the Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b), from the U.S. Army's account, Deposit Account No.: 19-2201.

The United States Patent and Trademark office is also authorized to charge any further fee amount or credit any overpayment to the same account.

Respectfully submitted,


Robert Charles Beam
Attorney for Applicants
Reg No.: 28,182
Telephone No.: (973) 724-3411
Facsimile No.: (973) 724-5552
e-mail address: rbeam@pica.army.mil

Mailing Address:

U.S. Army TACOM/ARDEC
Attn: AMSTA-AR-GCL
R. Beam/Building 3
Picatinny Arsenal, NJ 07806-5000

July 02, 2003
Date



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DEPT. OF THE ARMY
U.S. ARMY TACOM-ARDEC
PICATINNY LEGAL OFFICE
AMSTA-AR-GCL
BUILDING 3
PICATINNY ARSENAL, NJ 07806-5000

FACSIMILE TRANSMISSION:

24 Hour Automatic - All Speeds
FAX NO.: (973) 724-5552
DSN: 880-5552

TO FAX PHONE NO.: (703)308-6916

DATE: 02 July 2003

ATTN: Art Unit 3641

Desk Phone:

FROM: M. Carlson

Desk Phone: 973-724-3440

SUBJECT: DOCKET #1995-18A2 Application No.: 09/665,190, Filing Date
09/12/2000 FOR: High Energy Thermoplastic Elastomer.

Pages sent including header: 13

**DO NOT PROCESS, STORE, OR TRANSMIT CLASSIFIED INFORMATION ON
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**Response to Office Action dated 04/24/2003 - Petition for Revival of an Application for Patent
Abandoned Unintentionally Under 37 CFR1.137(b).**

PTO/SB/84 (10-01)

Approved for use through 10/31/2002. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

1995-18-A2

First named Inventor: Thema Manning

Application No.: 09/665,190

Art Unit: 3641

Filed: 09/12/2000

Examiner: Edward A. Miller

Title:

High Energy Thermoplastic Elastomer

Attention: Office of Petitions
Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

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JUL 02 2003

PETITIONS OFFICE

NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703) 305-9282.The above-identified application became abandoned for failure to file a timely and proper reply to a
notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the
expiration date of the period set for reply in the Office notice or action plus an extensions of time
actually obtained.**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee☐ Small entity-fee \$_____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☒ Other than small entity - fee \$ 1300.00 (37 CFR 1.17(m))**2. Reply and/or fee****A. The reply and/or fee to the above-noted Office action in
the form of PTO/SB/01**

(Identify type of reply):

- ☐ has been filed previously on _____
- ☒ is enclosed herewith.

B. The issue fee of \$ _____

- ☐ has been paid previously on _____
- ☐ is enclosed herewith.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on
the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC
20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.Adjustment date: 09/22/2003 AKELLEY
01/27/2003 MEVANS1 00000001 192201 09665190
01 FC:1253 930.00 CR

09/22/2003 AKELLEY 00000016 192201 09665190

01 FC:1453 1300.00 DA

PTO/SB/84 (10-01)

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3. Terminal disclaimer with disclaimer fee

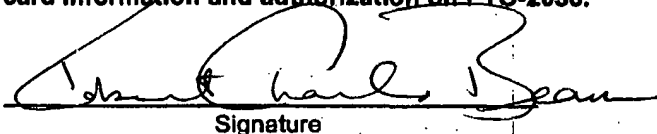
- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

7/2/2003

Date



Signature

Telephone

Number: 073724-3411Robert Charles Beam

Typed or printed name

US Army TACOM/ARDEC, Bldg 3

Address

Enclosures: ☒ Fee Payment☐ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☒ Other: Declaration for Utility of Design Patent ApplicationAMSTA-AR-GCL, Picatinny Arsenal, NJ 07806

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.
- ☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

7/2/2003

Date



Signature

Melinda M. Carlson

Type or printed name of person signing certificate

#18

PTO/SB/01 (10-01)

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**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

☐

Declaration
Submitted
with Initial
Filing

OR

☐

Declaration
Submitted after Initial
Filing (surcharge
(37 CFR 1.16 (e))
required)

Attorney Docket Number

1995-18-A2

First Named Inventor

Manning, Thelma

COMPLETE IF KNOWN

Application Number

09/665,190

Filing Date

09/12/2000

Art Unit

Examiner Name

As the below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

HIGH ENERGY THERMOPLASTIC ELASTOMER

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PETITIONS OFFICE

(Title of the Invention)

the specification of which

☐

is attached hereto

OR

☒

was filed on (MM/DD/YYYY)

09/12/2000

as United States Application Number or PCT International

Application Number

09/665,190

and was amended on (MM/DD/YYYY)

01/16/2003

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

[Page 2 of 2]

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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DECLARATION — Utility or Design Patent Application

Direct all correspondence to: <input checked="" type="checkbox"/>		Customer Number or Bar Code Label	32170	OR <input type="checkbox"/>	Correspondence address below
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City		State		ZIP	
Country		Telephone		Fax	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.					
NAME OF SOLE OR FIRST INVENTOR :			<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name Thelma G. (first and middle [if any])			Family Name Manning or Surname		
Inventor's Signature <i>Thelma Manning</i>			Date May 12, 2003		
Montville Residence: City		NJ State		USA Country	
USA Citizenship					
Mailing Address 29 Bromley Court					
Montville City		NJ State		07045 ZIP	
USA Country					
NAME OF SECOND INVENTOR:			<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name Joseph L. (first and middle [if any])			Family Name Prezelski or Surname		
Inventor's Signature			Date		
Jermyn Residence: City		PA State		USA Country	
USA Citizenship					
Mailing Address PO Box 161					
Jermyn City		PA State		18433 ZIP	
USA Country					
<input type="checkbox"/> Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.					

PTO/SB/02A (10-00)

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DECLARATION

ADDITIONAL INVENTOR(S)
Supplemental Sheet
Page 2 of 2

Name of Additional Joint Inventor, if any:

☐ A petition has been filed for this unsigned inventor

Given Name
Arpad

Family Name
or Surname
Juhasz

Inventor's
Signature

Date

Residence: City
Joppatowne

MD
State

USA
Country

USA
Citizenship

Mailing Address
302 Roxbury Court

Mailing Address

City
Joppatowne

MD
State

21085
ZIP

USA
Country

Name of Additional Joint Inventor, if any:

☐ A petition has been filed for this unsigned inventor

Given Name
Robert J

Family Name
or Surname
Lieb

Inventor's
Signature

Date
15 MAY 03

Residence: City
Abington

MD
State

USA
Country

USA
Citizenship

Mailing Address
4025 E. Baker Avenue

Mailing Address

City
Abington

MD
State

21009
ZIP

USA
Country

Name of Additional Joint Inventor, if any:

☐ A petition has been filed for this unsigned inventor

Given
Name

Family Name
or Surname

Inventor's
Signature

Date

Residence: City

State

Country

Citizenship

Mailing Address

Mailing Address

City

State

ZIP

Country

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DECLARATION**ADDITIONAL INVENTOR(S)**
Supplemental Sheet
Page 3 of 4

Name of Additional Joint Inventor, if any:

☐ A petition has been filed for this unsigned inventor.Given Name
SAMFamily Name
or Surname
MOYInventor's
Signature*Sam Ming Moy*

Date:

5/19/2003

Parsippany
Residence: CityNJ
StateUSA
CountryUSA
CitizenshipMailing Address
69 Glassboro Road

Mailing Address

City Parsippany

NJ
State07054
ZIPUSA
Country

Name of Additional Joint Inventor, if any:

☐ A petition has been filed for this unsigned inventor.Given Name
BernardFamily Name
or Surname
StraussInventor's
Signature

Date:

Residence: City Rockaway

NJ
StateUSA
CountryUSA
CitizenshipMailing Address
20 Iroquois Avenue

Mailing Address

City Rockaway

NJ
State07866
ZIPUSA
Country

Name of Additional Joint Inventor, if any:

☐ A petition has been filed for this unsigned inventor.Given Name
James A.Family Name
or Surname
HartwellInventor's
Signature

Date:

Residence: City Elton

MD
StateUSA
CountryUSA
CitizenshipMailing Address
14 Harvest Lane

Mailing Address

City Elkton

MD
State21921
ZIPUSA
Country

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DECLARATION	ADDITIONAL INVENTOR(S) Supplemental Sheet Page <u>2</u> of <u>2</u>
--------------------	---

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name Arpad		Family Name or Surname Juhasz	
Inventor's Signature <i>Arpad Juhasz</i>		Date 5/12/03	
Residence: City Joppatowne	MD State	USA Country	USA Citizenship
Mailing Address 302 Roxbury Court			
Mailing Address			
City Joppatowne	MD State	21085 ZIP	USA Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name Robert J.		Family Name or Surname Lieb	
Inventor's Signature		Date	
Residence: City Abington	MD State	USA Country	USA Citizenship
Mailing Address 4025 E. Baker Avenue			
Mailing Address			
City Abington	MD State	21009 ZIP	USA Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address			
Mailing Address			
City	State	ZIP	Country

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DECLARATION**ADDITIONAL INVENTOR(S)****Supplemental Sheet**

Page 3 of 4

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name SAM		Family Name or Surname MOY	
Inventor's Signature		Date	
Residence: City Parsippany	State NJ	Country USA	Citizenship USA
Mailing Address 69 Glassboro Road			
Mailing Address			
City Parsippany	State NJ	ZIP 07054	Country USA
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name Bernard		Family Name or Surname Strauss	
Inventor's Signature		Date	
Residence: City Rockaway	State NJ	Country USA	Citizenship USA
Mailing Address 20 Iroquois Avenue			
Mailing Address			
City Rockaway	State NJ	ZIP 07866	Country USA
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name James A.		Family Name or Surname Hartwell	
Inventor's Signature <i>James A. Hartwell</i>		Date 5/14/03	
Residence: City Elton	State MD	Country USA	Citizenship USA
Mailing Address 14 Harvest Lane			
Mailing Address			
City Elkton	State MD	ZIP 21921	Country USA

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DECLARATION — Utility or Design Patent ApplicationDirect all correspondence to: ☒ Customer Number or Bar Code Label **32170** OR ☐ Correspondence address below

Name

Address

City

State

ZIP

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR: ☐ A petition has been filed for this unsigned inventorGiven Name: **Thelma G.**
(first and middle [if any])Family Name: **Manning**
or SurnameInventor's
Signature

Date

Montville

NJ

USA

USA

Residence: City

State

Country

Citizenship

Mailing Address: **29 Bromley Court**

Montville

NJ

07045

USA

City

State

ZIP

Country

NAME OF SECOND INVENTOR: ☐ A petition has been filed for this unsigned inventorGiven Name: **Joseph L.**
(first and middle [if any])Family Name: **Prezelski**
or SurnameInventor's
Signature

Date

Jermyn

PA

USA

USA

Residence: City

State

Country

Citizenship

Mailing Address: **PO Box 161**Jermyn
CityPA
State

18433

USA
Country☐ Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

PTO/88/02A (10-00)

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DECLARATION**ADDITIONAL INVENTOR(S)**
Supplemental Sheet
Page 3 of 4

Name of Additional Joint Inventor, if any:

☐ A petition has been filed for this unsigned inventorGiven Name
SAMFamily Name
or Surname
MOYInventor's
Signature

Date

Residence: City
ParsippanyNJ
StateUSA
CountryUSA
CitizenshipMailing Address
69 Glassboro Road

Mailing Address

City
ParsippanyNJ
State07054
ZIPUSA
Country

Name of Additional Joint Inventor, if any:

☐ A petition has been filed for this unsigned inventorGiven Name
BernardFamily Name
or Surname
StraussInventor's
Signature

Date

Residence: City
RockawayNJ
StateUSA
CountryUSA
CitizenshipMailing Address
20 Iroquois Avenue

Mailing Address

City
RockawayNJ
State07866
ZIPUSA
Country

Name of Additional Joint Inventor, if any:

☐ A petition has been filed for this unsigned inventorGiven Name
James A.Family Name
or Surname
HartwellInventor's
Signature

Date

Residence: City
EltonMD
StateUSA
CountryUSA
CitizenshipMailing Address
14 Harvest Lane

Mailing Address

City
EltonMD
State21921
ZIPUSA
Country

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PTO/SB/97 (08-00)

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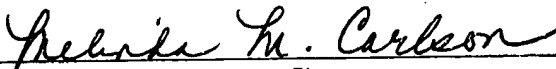
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Signature

Melinda M. Carlson

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